

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

I & C.A.D. Department - Sri D. Mohan Rao, NMR Man Mazdoor -
Reinstatement into service with back wages as per orders of Hon'ble
High Court in W.P. No. 26743/78, dt. 10-7-2007 - Orders - Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (Ser. V) DEPARTMENT.

G.O. Rt. No.1204

Dated: 9 -9-2008.

Read the following:-

- 1) From the Superintending Engineer, B.R.R. Vamsadhara
Project, Srikakulam, Lr. No. SKLM/AB/A2/E.78/120/ENC(I),
Dt. 7-12-2007.
- 2) Govt. Memo. No. 529/Ser. V(1)/2008-1, Dt. 1-3-2008.
- 3) From the Engineer-in-Chief (IW), Hyderabad, Lr. No.
ENC(IW)/P&M/EE.III/W2/5756/2007, Dt. 7-3-2008.

-X-X-X-X-

ORDER:-

In the reference 3rd read above, the Engineer-in-Chief (IW), Hyderabad has stated that the Superintending Engineer, B.R.R. Vamsadhara Circle, Srikakulam has reported that Sri D. Mohan Rao, NMR Man Mazdoor has approached Labour Court, Visakhapatnam for reinstatement into service with back wages on the plea that he was worked in the department as N.M.R. Man Mazdoor on a monthly salary from 1979 to 1983 and retrenched from service without giving one month notice. The Hon'ble Industrial Tribunal –cum- Labour Court, Viskahapatnam has passed award in I.D. No. 217/93 dated 28-1-98 that the work man in question is not entitled to any relief in the Industrial Dispute and contended that the Industrial Department and Telecom Department are not an Industry with the meaning of Industrial Disputes and the dispute is disposed of accordingly. Further, the petitioner has approached the Hon'ble High Court and filed W.P. No. 26743/98 to reinstate him into service with full back wages. The Hon'ble High Court, Hyderabad has passed orders dated 10-7-2007 in W.P. No. 26743/98 directing the department to reinstate the petitioner on or before 15th October, 2007 and pay the back wages for a period of three years from the date of termination. The Government Pleader for Irrigation & C.A.D. Department, A.P. High Court, Hyderabad in his letter dt. 29-11-2007 has opined that the order of the Hon'ble High Court, Hyderabad is reasoned order and do not find any ground to file an appeal against the order and advised to implement the orders of the Hon'ble High Court in W.P. No. 26743/98, Dated 10-7-2007.

2. He has, further stated that it may be necessary to implement the orders of Hon'ble High Court in W.P. No. 26743/98, Dt. 10-7-2007 and terminate the services duly following legal procedure if his services are not required.

3. After careful examination of the matter, Government hereby direct the Engineer-in-Chief (IW), Irrigation & C.A.D. Department, Hyderabad to reinstate Sri B. Mohan Rao, Ex-NMR, O/o the Executive Engineer, B.R.R. Vamsadhara Project Main Canal Division, Tekkali into service with back wages for a period of three years from the date of his termination as per orders of the Hon'ble High Court in W.P. No. 26743/98, dt. 10-7-2007. After reinstatement, terminate his service as per law duly following the procedure, if his services are not required.

(PTO).

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4. The Engineer-in-Chief (IW), Irrigation & C.A.D. Department, Hyderabad shall take necessary action in the matter accordingly.

5. This order issues with the concurrence of Finance (W&P) Department vide their U.O. NO. 2511/F9/2008, Dt. 24-6-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S. P. TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Engineer-in-Chief (IW), Irrigation & C.A.D. Department,
Jalasoudha Buildings, Errammanzil, Hyderabad.
Copy to : The Superintending Engineer, B.R.R. Vamsadhara Project, Srikakulam.
SF.

// FORWARDED :: BY ORDER //

SECTION OFFICER.